

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

CHRISTINE COOPER,

*Plaintiff,*

v.

21ST MORTGAGE CORPORATION,  
UPTON, MICKITS & HEYMANN LLP,  
K. CLIFFORD LITTLEFIELD, and  
RODNEY S. SCOTT,

*Defendants.*

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Case No. 2:20-cv-00215-JRG-RSP

**ORDER**

Before the Court are the following:

- Motion to Dismiss by Defendant 21st Mortgage Corporation ("21st Mortgage") (Dkt. No. 7);
- Defendants' Upton, Mickits & Heymann LLP and K. Clifford Littlefield (collectively, the "Law Firm Defendants") 12(b) Motion to Dismiss (Dkt. No. 12);
- Defendant Rodney S. Scott's ("Mr. Scott") Motion to Dismiss Under Rule 12(b), Federal Rules of Civil Procedure (Dkt. No. 20).

Magistrate Judge Payne entered a Report and Recommendation (Dkt. No. 23), recommending grant of each Defendants' Motions to Dismiss. Plaintiff has now filed Objections. (Dkt. No. 25.) After conducting a *de novo* review of the briefing on each Motion to Dismiss, the Report and Recommendation, and the briefing on Defendant's Objections, the Court agrees with the reasoning provided within the Report and Recommendation and concludes that the Objections fail to show that the Report and Recommendation was erroneous. Accordingly, the Court **ADOPTS** the Magistrate Judge's Report and Recommendation, and 21st Mortgage's Motion to Dismiss (Dkt. No. 7), the Law Firm Defendants' 12(b) Motion to Dismiss (Dkt.

No. 12), and Mr. Scott's Motion to Dismiss Under Rule 12(b) (Dkt. No. 20) are **GRANTED**.

This case is **DISMISSED WITHOUT PREJUDICE** for lack of subject matter jurisdiction.

All pending relief not explicitly granted herein is **DENIED AS MOOT**. The Clerk of the Court is directed to **CLOSE** the above-captioned case.

**So ORDERED and SIGNED this 11th day of February, 2021.**

  
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RODNEY GILSTRAP  
UNITED STATES DISTRICT JUDGE